DNY

ELECTRONICALLY FILEI

DOC #:

DATE FILED: 1/28/08

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION 21 MC 102 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
December 14, 2007

SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD.
Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York, One Wall Street Holdings LLC 4101 Austin Blvd. Corporation, The Bank of New York

Trust Company, N.A.

By: Christian H. Gannon (CG-1621) 830 Third Avenue, Suite 400 New York, New York 10022 (212) 651-1500 WORBY GRONER EDELMAN & NAPOLI BERN
Attorneys for Plaintiff

By: Christopher R. Lopalo, Esq. (CL-6466) 115 Broadway, 12th Floor: New York, New York 10006 (212) 267-3700

SO ORDERED:

HOM. ALVIN K. HELLERSTEIN

STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

	Plaintiff Name	Index # All (AKH)
1	Acosta, Byron	07CV1552
2	Adriano, Luis	07CV4445
3	Agudelo, Gladys	07CV4446
4	Ali, Enrique	07CV01554
5	Allivar, Raul	05CV9821
. 6	Alvarez, Maria	05CV10135
. 7	Alvarracin, Jose	07CV01556
8	Asencio, Ivan	07CV,1460
9	Atencia, Marcelo	07CV01562
10	Bailon, Peter B.	07CV05336
11	Barahona, Jose	07CV5550
12	Betancourt, Hector	07CV4453
13	Burgos, Leopoldo	07CV1473
14	Caguana, Manuel	06CV11968
15	Calero, Ivan	07CV1575
16	Calle, Wilson	07CV01578
17	Campoverde, Rey R.	07CV05280
18	Campozano, Rodrigo	07CV4459
19	Cardenas, Edison	07CV1580
20	Castillo, Silvia	05CV1718
21	Chuva, Nancy	07CV01589
22	Cintron, Yolanda	06CV5631
23		07CV05394
24	Criollo, Nancy	07CV4462
25	Dota, Clara	07CV01602
26	Drake, Jesse	07CV05353
27	Duarte, Inerva	07CV01603
28	Dutan, Elvia and Wilfredo	07CV1606
29	Encalada, Jorge	07CV1607
30	Franco, Luis	07CV4466

	•

32 Gallardo, Norberto 07CV05290 33 Garcia, Viviana 07CV1617 34 Gaspar, Peter 05CV10739 35 Giamo, Samuel T. 06CV11676 36 Giraldo, Hitien E. 07CV5554 37 Gualpa, Rosa 07CV4472 38 Guzman, Armando 07CV5556 39 Hernando, Avenia 07CV4473
34 Gaspar, Peter 05CV10739 35 Giamo, Samuel T. 06CV11676 36 Giraldo, Hitien E. 07CV5554 37 Gualpa, Rosa 07CV4472 38 Guzman, Armando 07CV5556 39 Hernando, Avenia 07CV4473
35 Giamo, Samuel T. 06CV11676 36 Giraldo, Hitien E. 07CV5554 37 Gualpa, Rosa 07CV4472 38 Guzman, Armando 07CV5556 39 Hernando, Avenia 07CV4473
35 Giamo, Samuel T. 06CV11676 36 Giraldo, Hitien E. 07CV5554 37 Gualpa, Rosa 07CV4472 38 Guzman, Armando 07CV5556 39 Hernando, Avenia 07CV4473
36 Giraldo, Hitien E. 07CV5554 37 Gualpa, Rosa 07CV4472 38 Guzman, Armando 07CV5556 39 Hernando, Avenia 07CV4473
38 Guzman, Armando 07CV5556 39 Hernando, Avenia 07CV4473
39 Hernando, Avenia 07CV4473
<u> </u>
40 Hurtado, Julio 07CV05295
41 Idrovo, Edgar 07CV1627
42 Idrovo, Manuel 07CV01628
43 Inga, Jorge 07CV01629
44 Jablonski, Jozef 07CV01630
45 Jaramillo, Jonas 06CV14746
46 Karus, Marian 07CV.01635
47 Lascano, Ana 05CV9333
48 Lasica, Andrezej 07CV4480
49 Lenis, Carlos 06CV10045
50 Leon, Cesar 07CV063
51 Leon, Ines 07CV4481
52 Loja, Wilmo 07CV4482
53 Lucero, Fernando 07CV05366
54 Medina, Rosa 07CV4491
55 Melendez, Maria 07CV05397
56 Mendez, Juan 07CV01664
57 Merchan, Carlos 07CV01665
58 Mora, Eugenio 06CV13168
59 Morales, Tatiana 07CV05370
60 Moreno, Sandra 07CV1670
61 Naranjo, Luis 07CV00082
62 Naranjo, Walter 07CV04496
63 Negrete, Oscar 07CV05371
64 O'Connell, Sean 07CV05374
65 Palaguachi, Rosa 07CV1680
66 Reynolds, David 07CV3446
67 Rhoden, Marcel 07CV05311
68 Riera, Maximo 07CV1519
69 Rodas, Patricio 07CV01694

70	Rojas, Jaime	07CV4511
71	Salazar, Victor	07CV4512
72	Sanchez, Edilberto	07CV05384
73	Sanchez, Rosa	06CV12488
74	Santamaria, Emanuel	07CV1528
75	Sarmiento, Edwin	07CV4515
76	Sarmiento, Galo	07CV1529
77	Serrano, Theresa	05CV8937
78	Siguencia, Raul	07CV1533
79	Suarez, Felipe	07CV1707
80	Samuel Sumba	07CV1710
81	Teham, Nicholas	07CV5564
82	Tenezaca, Julia	07CV1714
83	Teran, Cesareo	07CV05389
84	Thorpe, Jeanne	07CV1715
85	Vasquez, Rommel	07CV1543
88	Vazquez, Kattia	07CV1722
87	Vega, Severo	07CV4521
88	Villarroel, Segundo	07CV1546
89	Villarruel, Kleber (Paredes)	06CV13703
90	Walsh, Kevin	06CV12608
91	Waniurski, Robert	07CV4525
92	Watson, Ancil	07CV05391
93	Wragg, Clarence	06CV8125